

Attorney Docket P1110C1

CERTIFICATION UNDER 37 CFR 1.10

EL599583762US : Express Mail Number

November 19, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231

Diane L. Marschang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi, San Mateo, CA
Kevin P. Baker, San Mateo, CA
Austin Gurney, Belmont, CA
William I. Wood, San Mateo, CA

Title: **Apo-2DcR**

1. Type of Application

[] This application is for an original, non-provisional application.

[X] This is a continuation application claiming priority to application Serial Number 08/878,168 filed June 18, 1997, the entire disclosure of which is hereby incorporated by reference.

2. **Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)**

99 pages of specification
3 pages of claims
1 page(s) of abstract
15 sheet(s) of drawings
[] formal [X] informal

3. Declaration or Oath

Declaration or Oath
X A copy of the executed declaration/oath filed in the prior application will follow (37 CFR 1.63(d)).

4. Assignment

 X The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

 X Cancel in this application original claims 1-14 and 22-29 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

 X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$740.00
Total Claims	90	- 20 =	70	X \$18.00	\$1,260.00
Independent Claims	9	- 3 =	6	X \$80.00	\$480.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$2,480.00

7. Method of Payment of Fees

 X The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$2,480.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

 X The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Submission of substitute "Sequence Listing" (paper copy), Request to use computer readable copy of sequence listing from prior application, and certificate re: sequence listing.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
- _____ A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Diane L. Marschang

Respectfully submitted,
GENENTECH, INC.

Date: November 19, 2001

By: *Diane L. Marschang*
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416



09157

PATENT TRADEMARK OFFICE

09157-436660

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Ashkenazi et al. Serial No.: to be assigned Filed: November 19, 2001 For: Apo-2DcR	Group Art Unit: to be assigned Examiner: to be assigned
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CERTIFICATE REGARDING SEQUENCE LISTING

Box Patent Application
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

I hereby state that the information recorded in computer readable form in accordance with 37 CFR Section 1.821 is identical to the paper copy of the substitute Sequence Listing. I also hereby state that the computer readable form and paper copy of the substitute Sequence Listing do not introduce new matter.

Respectfully submitted,
GENENTECH, INC.

Date: November 19, 2001

By: *Diane L. Marschang*
Diane L. Marschang
Reg. No. 35,600

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TELETYPE UNIT

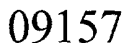
In re Application of Ashkenazi et al. Serial No.: to be assigned Filed: November 19, 2001 For: Apo-2DcR	Group Art Unit: to be assigned Examiner: to be assigned
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Assistant Commissioner of Patents
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Applicants respectfully request that the compliant computer-readable Sequence Listing filed in parent application Serial No. 08/878,168 be used as the computer-readable Sequence Listing for the present, above-identified continuation application.

Respectfully submitted,
GENENTECH, INC.

By: Diane L. Marschang
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416



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